

REMARKS

Reconsideration and allowance of the claims pending in the application are requested.

Claims 1-36 are pending in the application., as follows:

1. Claims 1-4 and 15 have been rejected under 35 USC 112/2 for informalities.
2. Claims 1-3, 19-24, 28-33, 35 and 36 have been rejected under 35 USC 102 (e) as anticipated by USP 6,853,294 to S. Ramamurthy, et al , issued February 5, 2005, filed July 26, 2000 (Ramamurthy).
3. Claims 4, 25-27 and 34 have been under 35 USC 103 (a) as being unpatentable over Ramamurthy, of record based on obviousness.
4. Prior art of record and not relied upon includes:
 - A. USPA 2004/0100363 to Lane et al.
 - B. USP 6,763,006 B2 to Rakers et al.
 - C. USPA 2004/0049451 to Berardi et al.

Applicants have amended the specification to supply omitted information; amended claims 1-4, and 15 to overcome the rejection under 35 USC 112/2, amended Claims 1, 5, 6, 11, 19, 20, 30, 32, 33 to further distinguish the present invention (Jalkanen) from the cited art, and added New Claims 37-39 corresponding to claims 1, 5 and 11 including related dependent claims.

Before responding to the rejection, Applicants would like to technically distinguish Jalkanen from Ramamurthy, as follows:

1. Ramamurthy discloses An RFID reader directly controls computer network applications on the basis of information collected from an RFID tag. The RFID tag includes certain designated fields that identify a destination computer system and/or application program for data recovered from the RFID tag. The RFID reader can then distribute the collected information in a format and to a destination that is determined by the RFID tag, thereby eliminating the need for intermediary software programs or human operators to make such decisions about the distribution of information. This capability permits RFID tag information to be automatically collected and distributed to network applications for ultimate data processing and collection. Ramamurthy fails to disclose technical features of Jalkanen, as follows:

A. Ramamurthy fails to disclose storing standardized and globally addressable packet in an RFID tag.

Ramamurthy discloses a RFID packet in a custom format including an IP address and a Port Number designating a specific application at a specific destination. Ramamurthy at Col. 5, line 65 continuing to col. 6, line 14. In contrast, Jalkanen discloses storing information in a RFID packet in standardized and globally addressable formats, e.g. UDP, IPv4, etc. which facilitates data transfer and access to extended applications running in a mobile device. Jalkanen at Page 6, lines 1 -6.

B.. Ramamurthy fails to disclose a tag packet containing a header and payload wherein the header is used to validate the payload for an application.

Ramamurthy discloses a processor determines whether RFID tags may be encoded with an IP Address and Port Number in designated fields or programmed using an unknown protocol. If a valid IP Address and Port Number is identified the processor will determine the protocol used by the RFID tag and the associated software application that supports the protocol. Ramamurthy at Col. 7, lines 20-37. In contrast, Jalkanen discloses a tag transmitting IP packets to a RFID reader wherein the packet includes a RFID header and a check sum. The reader strips the RFID header and the validity of a checksum verified. If verified, the device transmits the payload, which can be an UDP, TCP, or ICMP packet, to the application running in the device. Jalkanen at page 6, lines 11-23.

C. Ramamurthy fails to disclose a RFID packet containing compressed data fields and a code for instructing a device to define omitted fields in the packet.

Ramamurthy discloses a RFID tag contains a space for data storage having at least an IP Address field and a Port Number field. The IP Address field and Port Number field enable a RFID reader 40 to route data within a computer system. Ramamurthy at Col. 5, line 65 continuing to col. 6 line 10. In contrast, Jalkanen discloses a RFID tag data packet in compressed UDP header format. The format field content can be coded to identify a standardized packet format. When the data packet is received in a mobile device, the format field content instructs the processor that the omitted fields are to be defined and/or computed and the header is appended with the fields created by the processor. Jalkanen at page 14, lines 7-14.

D. Ramamurthy converts the tag information into a routing packet and fails to directly transmit the tag information as a routing packet to an application or according to the packet destination.

Ramamurthy at column 7, lines 42 – 55 discloses “a processor determines a message format based on the protocol defined by the Port Number and generates a data packet containing the RFID tag information formatted in accordance with the defined protocol”. In contrast, Jalkanen at page 17, steps 3 -7 discloses the RFID packet is transmitted to the reader and passed to an application in the reader or routed according to the packet destination.

Summarizing, Ramamurthy fails to disclose (a) standardized and globally addressable fields in a RFID packet; (b) a packet header validating the payload for an application, (c) a code included in a compressed packet for instructing a device to define omitted fields in the packet., and (d) directly transmitting the RFID tag information as a packet to an application or according to the packet destination

Now turning to the rejection, Applicant responds to the indicated paragraphs of the Office Action, as follows:

Regarding Paragraph 1:

Applicants have attached an Information Disclosure Statement, which complies with 37 CFR 1.98(a)(2), and provides a copy of each non-patent literature publication cited in the Information Disclosure Statement filed June 30, 2003. Entry of the attached Information Disclosure Statement and consideration of the cited references are requested.

Regarding Paragraphs 2/3:

Claims 1, 5 and 15 have been amended to correct the objections indicated in the Office Action by the Examiner. Withdrawal of the rejection of claims 1-4 and 15 under 35 USC 1.112/2 is requested.

Regarding Paragraph 4/5:

Claims 1-3, 19-24, 28-33, 35 and 36 include limitations not disclosed in Ramamurthy and overcome the rejection under 35 USC 102(e), as follows:

a. Claim 1:

(i) “data storage means storing packetized data in standardized and globally addressable data formats transportable in a distributed information network, e.g., the Internet;”

Ramamurthy, at col. 5, lines 65 - col. 6, line 14 and col. 7, lines 11-20, discloses a RFID tag, including an IP address field and a Port number field and fails to disclose or suggest standardized data formats for IP, UDP or other packets, as described in the specification at page 13, line 3 continuing to page 15, line 18 and shown in Figs. 2A, B; 3A, B. Ramamurthy fails to disclose or suggest standardized globally addressable data packet formats in a RFID tag packet.

(ii) “identifying code in the format identifying the data format”

Ramamurthy, at col. 7, lines 40-55 discloses a processor accessing a table that relates each port number to a particular protocol and message format for transmission. In contrast, Jalkanen discloses a packet containing a standardized format, and a code in the data packet that identifies the standard and globally addressable data format for transmission. Jalkanen, at page 13, line 6; page 14, lines 13-14, and page 14, line 2. Ramamurthy fails to disclose a packet containing standardized format, and an identifier code that identifies the standardized and global addressable data formats.

Without a disclosure of items (i) and (ii) in Ramamurthy, there is no support for the rejection of claim 1 under 35 USC 102(e).

b. Claim 2:

Claim 2 further limits claim 1 and is patentable on the same basis as claim 1.

c. Claim 3:

Ramamurthy, at col. 4, lines 20-32 describes TCP and IP protocols. The IP address fields and port number fields described at col. 6, lines 1-14 do not disclose or suggest the UDP/IP data formats.

Ramamurthy fails to disclose standardized and globally addressable packets described in the specification in conjunction with Figs. 2A, B; 3A, B.

d. Claims 19 & 36:

(i) “receiving and sending a data packet in a standardized and globally addressable format including a header and a payload from and to the data carrier;”

Ramamurthy, at col. 6, lines 54-col. 7, line 10, discloses a reader detecting a response from a RFID tag , but fails to disclose the data packet is in a standardized and globally addressable format.

(ii) “identifying a code in the format of the data packet identifying the format;”

Applicant can find no description of a code in the format for identifying the data packet format, as described in Jalkanen at page 13, line 6; page 14, line 14; and page 14, line 16.

(iii) “processing the data packet according to the identified standardized and globally addressable format after validation of the header;”

Ramamurthy, at col. 7, lines 40-55, discloses validating the fields of the RFID tag data and accessing a table that relates a port number field to a particular protocol and message format. The processor forwards the message to a server using the IP address in the data packet.

Ramamurthy fails to disclose processing the data packet according to standardized and global addressable format after validation of a header in the packet..

(iv) “routing the processed data packet directly to a destination address defined in the standardized and globally addressable format”

Ramamurthy, at col. 7, lines 40-55, routes the packets to a specific application according to a particular protocol and message format identified by a port number via a table lookup. Ramamurthy at col. 7, lines 46 – 55. Ramamurthy fails to disclose a data packet which can be routed directly to all kinds of applications able to interpret the contents of the packet. Jalkanen at page 17, steps 6 and 7.

e. Claim 20:

(i) “... the data packet comprises an identification data, a header data and payload data, packetized according to any one of several standardized and globally addressable format.”

Ramamurthy, at col. 4, lines 21-32, discloses each data packet is transmitted to a network according to the TCP/IP protocol. The packet includes a header portion that contains TCP and IP information. The cited text describes packets communicated in a network and not between a data carrier and a reader. Ramamurthy, at col. 6, lines 1-29, describes data packets communicated between the data carrier and a reader as including an IP address field and a port number field. Such a data packet format is customized for a specific address and application and does not conform to any of the standardized and globally addressable format, i.e. UDP, TCP, ICMP formats to any destination and application.

f. Claim 28:

Claims 28 depends from claim 20 and is patentable on the same basis as claim 20..

g. Claim 21:

Claim 21 further limits claim 19 and is patentable on the same basis as claim 19.

h. Claim 22:

Claim 22 further limits claim 19 and is patentable on the same basis as claim 19.

i. Claim 32:

Claim 32 describes a method of writing packetized data to a data carrier. The Examiner has failed to cite any prior art limiting claim 32. Applicant has amended claim 32 to further define the method.

j. Claim 23:

Claim 23 further limits claim 19 and is patentable on the same basis as claim 19.

k. Claim 24:

Ramamurthy, at col. 4, lines 21-32, discloses a network packet including a header portion containing TCP and IP information. In contrast, claim 24 describes a data carrier packet between tag and a reader. Moreover, Ramamurthy, at col. 6, lines 1-29, discloses a data carrier packet between a tag and a reader, including an IP address field and a port number field. The cited text fails to disclose a data carrier packet, including header data and UDP information.

l. Claim 29:

Ramamurthy, at col. 4, lines 21-32, fails to disclose a data carrier packet including header data and standard IP protocol information.

m. Claim 30:

Ramamurthy, at col. 6, lines 26-35, transfers data packets into and out of the server for access by an application program, the transfer based on the IP Address field and Port Number field contained in the data packet. In contrast, Jalkanen discloses the data packets transferred to a network or application receptive to the standardized and global addressable format, as described in the specification at page 6, line 12-16. The IP address and Port Number fields do not disclose or suggest the standardized data formats of Jalkanen

n. Claim 31:

Claim 31 further limits claim 19 and is patentable on the same basis thereof.

o. Claim 33:

(i) “at least one data carrier having at least one data packet embedded therein in a standardized and globally addressable format;”

Ramamurthy fails to disclose a RFID packet in a standardized and globally addressable format.

(ii) “a data receiving (reading) device for data sending (writing) device for receiving or sending the at least one embedded data packet from the said at least one data carrier;”

Ramamurthy, at col. 6, line 54 continuing to col. 7, line 11, describes a data packet including an IP address field, which designates a computer system. A port number designates a protocol and software application that supports the protocol. Ramamurthy fails to disclose the data packet in a standardized and globally addressable format.

(iii) “a data routing device connectable to the data receiving device for routing the received data packet directly to a destination address;”

Ramamurthy, at col. 4, lines 2-11; col. 7, lines 51-55, discloses a processor accesses a table that relates each port number to a particular protocol and message format. In contrast, Jalkanen discloses a data package is directly transmitted to an application or a network, as described in Jalkanen at page 6, line 13 - 16. Ramamurthy fails to disclose routing a data packet in a standardized and globally addressable format or directly to a destination address.

(iv) “an application in the data receiving device receptive to the standardized globally addressable format for receiving the routed data package”

Ramamurthy, at col. 3, lines 55-61, discloses a server computer provides various system applications for client computers in response to data packets using the IP address and Port Number data format, previously described. Ramamurthy fails to disclose applications responsive to data packets in standardized and globally addressable formats.

p. Claim 35:

Claim 35 further limits claim 33 and is patentable on the same basis as claim 33.

Regarding Paragraphs 6/7:

Applicants traverse the rejection of claims 4, 25-27 and 34 under 35 USC 103(a) based on Ramamurthy, as follows :

a. Claims 4, 25-27 and 34 depend upon base claims which include limitations , e.g. (a) standardized and globally addressable data formats; (b) identifying codes in the data packets and (c) directly transferring data packets to an application not disclosed or suggested in Ramamurthy. Without each and every claim limitation being shown in the reference, as in the present instance, the rejection is improper per MPEP 2143.03.

b. The Examiner has not provided any reference to support modification of Ramamurthy to perform compressing and decompressing of the data, contrary to MPEP 2133.1, at page 2100-131.

The failure of the reference to disclose all of the claimed elements and the lack of reference to support modifications to enable one of ordinary skill to implement the rejected claims does not satisfy the requirements for rejection under 35 USC 103(a). Withdrawal of the rejection and allowance of claims 4, 25-27 and 34 are requested.

Regarding Paragraph 8:

Claims 5-18 include limitations not disclosed in Ramamurthy, in view of USP 6,705,522 to A. Gershman et al. issued March 16, 2004, filed October 3, 2001, as follows:

a. Claims 5 & 11:

(i) “signal apparatus transmitting activation signals and sending/receiving packetized datagrams in standardized and globally addressable data formats transportable in the Internet to/from at least one transponder;”

Ramamurthy, at col. 5, lines 10-39, and line 65 - col. 6, line 14, describes an RFID reader sending and receiving signals to a transponder. The transponder contains a data storage having plural fields, one of which has a predefined IP address field and a Port number field. In contrast, Jalkanen stores the data within a transponder having a standardized and globally addressable format, e.g., UDP, IDP, etc. Ramamurthy fails to disclose sending/receiving packetized data grams in a standardized and globally addressable data formats.

(ii) “reading apparatus processing the packetized datagrams from a transponder for delivery to a network for application using a standardized and globally addressable format.”

Ramamurthy, at col. 5, lines 40-64, fails to disclose delivering packetized data grams to a network for application using the standardized and globally addressable data format.

Ramamurthy fails to disclose the limitations of claim 5. Gershman does not supply the missing limitation in Ramamurthy. Gershman only describes a mobile transceiver that transmits and receives two/from and off RFID tags. Applicant can find no disclosure in Gershman relating to data packets using standardized and globally addressable data format.

The rejection of claim 5 and 11 is without support in the prior art. Withdrawal of the rejection and allowance of claim 5 and 11 are requested.

b. Claim 6:

Claim 6 further limits claim 5 and is patentable on the same basis thereof.

c. Claim 7:

Ramamurthy, at col. 4, lines 21-32, discloses data packets communicated in a network and not between a data carrier and a reader. Ramamurthy describes a data packet transmitted

between a data carrier and a reader at col. 6, lines 1 - to 29. The cited text describes the packet as containing an address field and port number field, which is a non-standard data format. Accordingly, Ramamurthy fails to disclose the limitations of claim 7.

c. Claim 8:

The Examiner has not cited nor has applicant found any disclosure in Ramamurthy relating to a mobile device providing omitted fields in datagrams provided by a transponder.

d. Claim 10:

The Examiner has not cited nor has applicant found any disclosure in Ramamurthy relating to a partly compressed datagram. Further, The Examiner has not provided any reference to support modification of Ramamurthy to perform partly compressing datagrams, contrary to MPEP 2133.1, at page 2100-131. In any case, claim 10 further limits claim 5 and is patentable on the same basis thereof.

e. Claim 18:

Claim 18 corresponds to claim 10 and is patentable on the same basis thereof.

f. Claim 9:

Claim 9 further limits claims 5, 6 and 8 and is patentable on the same basis thereof.

g. Claim 12:

Claim 12 depends from claim 11 and is patentable on the same basis thereof.

h. Claim 13:

Ramamurthy, at col. 7, lines 12-39, discloses a reader forwards tag data to a generic processor when the IP address and port number cannot be detected. Ramamurthy does not disclose a check sum for checking the data content, as described in the specification at page 6, lines 10-14.

i. Claim 14:

Claim 14 further limits claim 13 and is patentable on the same basis.

j. Claim 15:

Ramamurthy requests re-transmission, but does not notify an application running in the mobile device of an un-successful retransmission. In any case, claim 15 depends upon claim 13 and is patentable for the same reasons thereof.

k. Claim 16:

Ramamurthy at col. 7, lines 45-55 discloses a processor generates a data packet containing the RFID data. In contrast, Jalkanen discloses at page 17, steps 3-7 the RFID data packet is sent directly to an application running in the device or in a network. In any case claim 16 depends upon claim 13 and is patentable on the same basis.

l. Claim 17:

Ramamurthy at col. 7, lines 18 -39 discloses the processor validates address and port number fields of the datagram. Ramamurthy does not validate the packet header via a checksum as described in Jalkanen at page 16, steps step 4. In any case, claim 17 is patentable on the same basis as claim 13 from which it depends..

Prior Art Of Record Consideration:

Applicant has reviewed US 2004/0100363 A1 (Lane et al.); US 6,763,996 B2 (Rakers et al.); US 2004/0049451 A1 (Berardi et al.), all of which fail to disclose the limitations of claims 1-36. The cited, but not applied art is considered cumulative to the cited art.

Patentability Support For New Claims

Claim 37 is based on claim 1 and includes a limitation of transmitting a packet to a receiver without alteration of the packetized data. Ramamurthy fails to transmit a RFID data packet without alteration, as disclosed at col. 7, lines 42-55.

Claim 38 combines' claims 5 and 7 and includes the limitation of processing the packetized datagrams from a transponder for delivery to a network or application without alteration of the packetized datagrams, Ramamurthy fails to disclose these limitations for reasons previously indicated.

Claim 39 combines' claims 11 and 17 and includes the processing limitation described in claim 38.

Applicant submits New Claims 37-39 describe limitations not shown in the cited art for reasons previously indicated above. Entry of claims 37-39 and allowance thereof are requested.

CONCLUSION:

Having amended claims 1, 5, 6, 11, 19, 20, 30, 32, 33, and 36 to further distinguish the claimed RFID system from the cited art; cured the rejection under 35 USC 112/2, provided a revised Information Disclosure Statement of June 30, 2003, and supported the patentability of New Claims 37-39, Applicant requests entry of the amendment, allowance of the claims and passage to issue of the case.

AUTHORIZATION:

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4503, Order No. 4208-4134. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4503, Order No. 4208-4134. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
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Dated: May 19, 2005

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